

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Orbitan Road, 520' N of * ZONING COMMISSIONER
the c/l of Crosshill Road *
(9118 Orbitan Road) *
11th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 88-443-A
Harold T. Stafford, et ux *
Petitioners *

MEMORANDUM AND ORDER

The Petitioners herein request variances to permit a minimum side yard setback of 1 foot in lieu of the required 8 feet and a sum of the side yard setback of 11 feet in lieu of the required 20 feet, for a proposed garage, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of May, 1988 that a minimum side yard setback of 1 foot in lieu of the required 8 feet and a sum of the side yard setback of 11 feet in lieu of the required 20 feet, for a proposed garage, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

MAR 17 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 88-443-A
W/S Orbitan Road, 520' N of c/l Crosshill Road
(9118 Orbitan Road)
11th Election District - 6th Councilmanic District
Petitioners(s): Harold T. Stafford, et ux
HEARING SCHEDULED: MONDAY, MAY 5, 1988 at 11:00 a.m.

Variance to permit a minimum side yard setback of 1 foot in lieu of the required 8 feet and a sum of the side yard setback of 11 feet in lieu of the required 20 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Harold T. & Charlotte A. Stafford
File

is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the garage addition to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen facilities.
- 3) The garage shall have a gutter system designed to insure there will be no water runoff onto the adjoining property.

AMN:bjs

ORDER RECEIVED FOR FILING
Date 5/16/88
By [Signature]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Harold T. & Charlotte A. Stafford
1119 Orbitan Road
Baltimore, Maryland 21234

Re: Petition for Zoning Variance
Case Number: 88-443-A
W/S Orbitan Road, 520' N of c/l Crosshill Road
(9118 Orbitan Road)
11th Election District - 6th Councilmanic District
Petitioners(s): Harold T. Stafford, et ux
HEARING SCHEDULED: MONDAY, MAY 5, 1988 at 11:00 a.m.

Cost: Mr. & Mrs. Stafford

Please be advised that \$6735 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 5/16/88 ACCOUNT 21-115-000 DURS.

AMOUNT \$ 67.35

RECEIVED FROM [Signature] INES

FOR 88-443-A ssioner of

By [Signature] unt

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-443-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1102-3-B () to permit a minimum side yard setback of 1 foot in lieu of the required 8 feet and a sum of the side yard setback of 11 feet in lieu of the required 20 feet.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)
1. Protect vehicle by constructing garage, need storage space and location for washing and drying clothes.
 2. Cannot construct elsewhere because of pool in rear yard.
 3. Driveway presently located where garage is proposed. Improve property and enhance neighborhood.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Harold T. & Charlotte A. Stafford

Signature [Signature]

Harold T. & Charlotte A. Stafford

Signature [Signature]

1119 Orbitan Rd. 882-0476

Address Phone No.

Baltimore, MD 21234

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Harold T. Stafford

Name

1119 Orbitan Rd. 882-0476

Address Phone No.

Baltimore, MD 21234

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

of May, 1988, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 2nd day of May, 1988, at 11 o'clock

4 p.m.

Attorney's Telephone No.: [Signature]

Signature [Signature]

Zoning Commissioner of Baltimore County.

ALL OTHER (over)

REVIEWED BY: [Signature] DATE: 5-17-88

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting: 4/13/88

District: 11th

Posted for: Harold T. Stafford, et ux

Petitioner: Harold T. Stafford, et ux

Location of property: 1119 Orbitan Rd., 520' N of c/l Crosshill Rd.

Location of Sign: 1119 Orbitan Rd., 520' N of c/l Crosshill Rd.

Remarks: on pro. party of Baltimore

Posted by: [Signature]

Number of Signs: 1

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. April 14, 1988

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

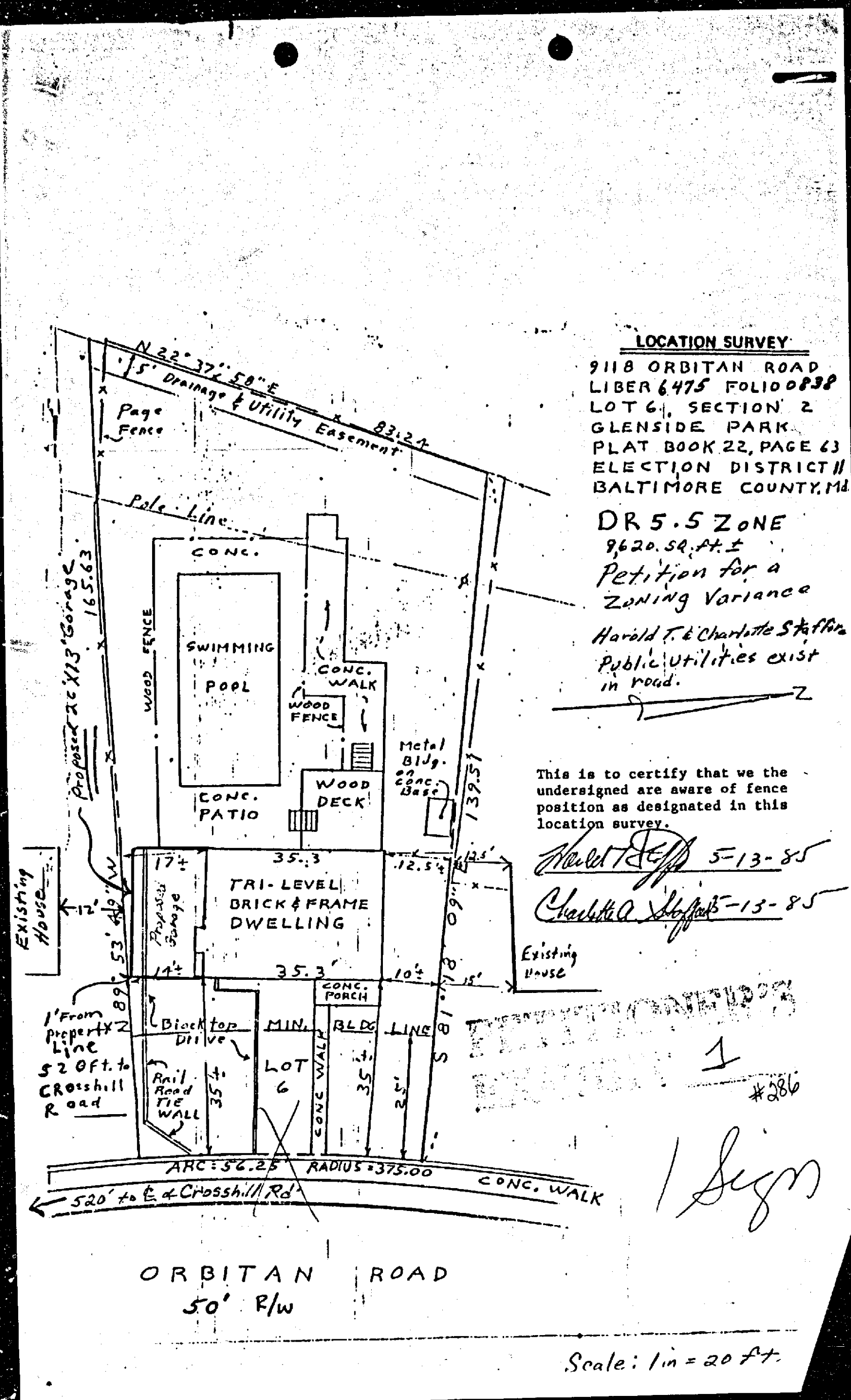
and published in Towson, Baltimore County, Md., appearing on

April 14, 1988

THE JEFFERSONIAN,

[Signature]
Publisher

\$ 41.25



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner
Date: April 13, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-443-A,
88-447-A, 88-449-A, 88-450-A,
88-452-A, 88-453-A, 88-454-A, 88-455-A, 88-456-A, 88-457-A, 88-458-A, 88-459-A, 88-460-A, 88-461-A, 88-462-A, 88-463-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
APR 15 1988
ZONING OFFICE

cc: Harold T. Stafford, et ux
4/15/88

CPS-008

Mr. & Mrs. Harold T. Stafford
9118 Orbitan Road
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
W/S Orbitan Road, 520' N of the c/l of Crosshill Road
11th Election District, 6th Councilmanic District
Case No. 88-443-A

Dear Mr. & Mrs. Stafford:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMH:bjs
Enclosures
cc: People's Counsel
File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
April 25, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. Harold T. Stafford
9118 Orbitan Road
Baltimore, Maryland 21234

RE: Item No. 286 - Case No. 88-443-A
Petitioners: Harold T. Stafford, et ux
Petition for Zoning Variance

Dear Mr. and Mrs. Stafford:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development. Plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt
Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

March 10, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 286, 287 and 291.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF/pml-b

RECEIVED
APR 15 1988
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

February 18, 1988

Re: Property Owner: Harold T. Stafford, et ux

Location: W/S Orbitan Rd., 520' N of c/l Crosshill Rd.

Item No.: 286

Zoning Agenda: Meeting of 2/23/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Fire Prevention Bureau

/s/

88-443-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
24th day of February, 1988.

J. Robert Haines
Zoning Commissioner

Petitioner: Harold T. Stafford, et ux Received by: [Signature]
Petitioner's Attorney: [Signature] Chairman, Zoning Plans Advisory Committee